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Local Counsel

ANSWER

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARIA MANDUJANO SANCHEZ,

Defendant.

CASE NO. 2:21-cr-00328-GMN-DJA

**STIPULATION AND PROPOSED ORDER
TO CONTINUE SENTENCING DATE
FOR CONSOLIDATED CASE**

Maria Mandujano Sanchez, by and through counsel of record Michael Anthony Hernandez, Jacqueline Tirinnanzi and Kathleen Bliss, and the United States of America, by and through Assistant United States Attorney Allison Reese, hereby stipulate and request that the Court vacate Ms. Mandujano Sanchez's sentencing hearing currently set October 19, 2022, at 10:00 a.m. and continue it to a later date convenient to the Court, but no sooner than ninety (90) days, so that sentencing may be consolidated with the portion of the case that was recently consolidated from 2:21-cr-00226-JCM-NJK into the instant case (resolution is pending). ECF

1 No. 22. This stipulation is made and based upon the following:

- 2 1. The parties agree to the continuance.
- 3 2. On March 2, 2022, Ms. Mandujano Sanchez pleaded guilty to one count of Importation of
- 4 a Controlled Substance (cocaine) in violation of 21 U.S.C. §§ 952 and 960. ECF No. 15.
- 5 3. Defense counsel's ability to effectively and thoroughly explore all factors relevant to
- 6 Ms. Mandujano Sanchez's mitigation and sentencing presentation requires additional time
- 7 to prepare.
- 8 4. Furthermore, on June 27, 2022, as the result of an unopposed motion (ECF No. 21), this
- 9 Court issued an order granting the consolidation of the matter in Case No. 2:21-cr-00226-
- 10 JCM-NJK into the instant case. Case No. 2:21-00226-JCM-NJK, ECF No. 68 and Case
- 11 No. 2:21-cr-00328-GMN-DJA-1, ECF No. 22. Resolution is pending¹ for the
- 12 consolidated portion of the case, with the objective of handling sentencing for both
- 13 matters simultaneously, for efficiency's sake.
- 14 5. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim.
- 15 P. 32(b)(2), which states that, "the court may, for good cause, change any time limits
- 16 prescribed [for sentencing] in this rule." Furthermore, a delay in sentencing does not
- 17 implicate or undermine the defendant's speedy trial rights under the United States
- 18 Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).
- 19 6. This is the third request for a continuance of the sentencing. The additional time
- 20 requested herein is not sought for purposes of delay. No further continuances are
- 21 anticipated.
- 22 7. Denial of this request for a continuance would deny counsel for Ms. Mandujano Sanchez
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28 ¹ Resolution was delayed in part due to trial counsel participating in a trial in Reno in September.
See Case No. 3:21-00010-MMD-CLB.

1 sufficient time to effectively and thoroughly prepare for sentencing, taking into account
2 due diligence. Accordingly, a denial of this request for continuance could result in a
3 miscarriage of justice.

4 8. Ms. Mandujano Sanchez is in custody and agrees to the proposed continuance.
5

6 Dated October 13, 2022.
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9
10 /s/ Allison Reese
11 ALLISON REESE, ESQ.
Assistant U.S. Attorney

12 /s/ Michael Anthony Hernandez
13 MICHAEL ANTHONY HERNANDEZ, ESQ.
Counsel for Maria Mandujano Sanchez

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16 /s/ Jacqueline Tirinnanzi
17 JACQUELINE TIRINNANZI, ESQ.
18 Counsel for Maria Mandujano Sanchez
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO. 2:21-cr-00328-GMN-DJA

Plaintiff,

VS.

MARIA MANDUJANO SANCHEZ,

**STIPULATION AND PROPOSED ORDER
TO CONTINUE SENTENCING DATE
FOR CONSOLIDATED CASE**

Defendant.

FINDINGS OF FACT

Maria Mandujano Sanchez, by and through counsel of record Michael Anthony Hernandez, Jacqueline Tirinnanzi and Kathleen Bliss, and the United States of America, by and through Assistant United States Attorney Allison Reese, hereby stipulate and request that the Court vacate Ms. Mandujano Sanchez's sentencing hearing currently set October 19, 2022, at 10:00 a.m. and continue it to a later date convenient to the Court, but no sooner than ninety (90) days, so that sentencing may be consolidated with the portion of the case that was recently consolidated from 2:21-cr-00226-JCM-NJK into the instant case (resolution is pending). ECF No. 22. This stipulation is made and based upon the following:

1. The parties agree to the continuance.
 2. On March 2, 2022, Ms. Mandujano Sanchez pleaded guilty to one count of Importation of a Controlled Substance (cocaine) in violation of 21 U.S.C. §§ 952 and 960. ECF No. 15.
 3. Defense counsel's ability to effectively and thoroughly explore all factors relevant to Ms. Mandujano Sanchez's mitigation and sentencing presentation requires additional time to prepare.

- 1 4. Furthermore, on June 27, 2022, as the result of an unopposed motion (ECF No. 21), this
2 Court issued an order granting the consolidation of the matter in Case No. 2:21-cr-00226-
3 JCM-NJK into the instant case. Case No. 2:21-00226-JCM-NJK, ECF No. 68 and Case
4 No. 2:21-cr-00328-GMN-DJA-1, ECF No. 22. Resolution is pending² for the
5 consolidated portion of the case, with the objective of handling sentencing for both
6 matters simultaneously, for efficiency's sake.
- 7
- 8 5. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim.
9 P. 32(b)(2), which states that, "the court may, for good cause, change any time limits
10 prescribed [for sentencing] in this rule." Furthermore, a delay in sentencing does not
11 implicate or undermine the defendant's speedy trial rights under the United States
12 Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).
- 13
- 14 6. This is the third request for a continuance of the sentencing. The additional time
15 requested herein is not sought for purposes of delay. No further continuances are
16 anticipated.
- 17
- 18 7. Denial of this request for a continuance would deny counsel for Ms. Mandujano Sanchez
19 sufficient time to effectively and thoroughly prepare for sentencing, taking into account
20 due diligence. Accordingly, a denial of this request for continuance could result in a
21 miscarriage of justice.
- 22
- 23 8. Ms. Mandujano Sanchez is in custody and agrees to the proposed continuance.

CONCLUSION OF LAW

24 For all the above-stated reasons, the ends of justice are served by granting the requested
25 continuance for the following reasons: Additional time requested by this stipulation is reasonable
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28 ² Resolution was delayed in part due to trial counsel participating in a trial in Reno in September.
See Case No. 3:21-00010-MMD-CLB.

1 pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change
2 any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does
3 not implicate or undermine the defendant’s speedy trial rights under the United States
4 Constitution. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016). Failure to grant the
5 continuance would deny parties sufficient time to meaningfully continue to prepare for
6 sentencing, considering the exercise of due diligence.

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO. 2:21-cr-00328-GMN-DJA

Plaintiff,

VS.

MARIA MANDUJANO SANCHEZ

**PROPOSED ORDER TO CONTINUE
SENTENCING DATE FOR
CONSOLIDATED CASE**

Defendant.

Based upon the stipulation of the parties, and good cause appearing, it is hereby ORDERED that Ms. Mandujano Sanchez's sentencing hearing set for October 19, 2022, hereby is, VACATED.

IT IS FURTHER ORDERED that the sentencing hearing is reset for January 17, 2023, at the hour of 10 AM in courtroom 7D.

Dated this 13 day of Oct. 2022.

**THE HONORABLE GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE**

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